



Entered on Docket
September 13, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Third Omnibus
Objection Of USACM Trust To Proofs Of
Claim Based Entirely Upon Investment In
The Palm Harbor One Loan**

Hearing Date: August 30, 2011
Hearing Time: 10:30 a.m..

The Court having considered the "Third Omnibus Objection Of USACM Trust To Proofs Of Claim Based Entirely Upon Investment in The Palm Harbor One Loan," ("Palm Harbor Loan") [DE 8595] (the "Objection"); the Court having heard the Objection on August 30, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to repayment by the borrower or from the collateral securing the Palm Harbor Loan; and good cause appearing:

1 **IT IS ORDERED** that:

2 1. The Objection [DE 8595] is sustained; and

3 2. The claims listed on **Exhibit A** attached are disallowed in full because those
4 claims are based entirely upon an investment in the Palm Harbor Loan.

5
6 **PREPARED AND RESPECTFULLY SUBMITTED BY:**

7
8 **LEWIS AND ROCA LLP**

9 By /s/ John Hinderaker (AZ #018024)

10 Robert M. Charles, Jr.

11 John Hinderaker (*pro hac vice*)

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16 *Attorneys for USACM Liquidating Trust*

1 LOCAL RULE 9021 CERTIFICATION

2 In accordance with LR 9021, counsel submitting this document certifies that the order
3 accurately reflects the court's ruling and that (check one):

4 _____ This Court has waived the requirement set forth in LR 9021(b)(1).

5 XXX No party appeared at the hearing or filed an objection to the motion.

6 _____ I have delivered a copy of this proposed order to all counsel who
7 appeared at the hearing, and any unrepresented parties who appeared
8 at the hearing, and each has approved or disapproved the order, or
9 failed to respond, as indicated below [list each party and whether the
document]:

10 Counsel appearing: _____

11 _____ I certify that this is a case under Chapter 7 or 13, that I have served a
12 copy of this order with the motion pursuant to LR 9014(g), and that
13 no party has objected to the form or content of the order

14 U.S. Trustee: _____	
15 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
16 <input checked="" type="checkbox"/> waived the right to review the 17 order and/or	<input type="checkbox"/> failed to respond to the document
18 Other Party: _____	
19 <input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
20 <input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

21 Submitted by:
22 LEWIS AND ROCA LLP

23 By: /s/ John Hinderaker. (AZ #018024)
24 Attorneys for USACM Liquidating Trust

25
26 # # #

**USACM Trust
Palm Harbor One, LLC
Single Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Palm Harbor One Loan
10725-01249	11/10/2006	Routsis, Thalia	Po Box 4311 Incline Village, NV 89450	50,000.00	50,000.00
10725-00626	10/17/2006	Scott, Jacqueline	306 Torrey Pines Dayton, NV 89403	50,000.00	50,000.00
10725-00049	5/11/2006	Simmtext Inc A Nevada Corp	Jed Barish 6160 Majestic Wind Avenue Las Vegas, NV 89122	50,000.00	50,000.00
10725-01237	11/9/2006	Soldo, Marie	396 Via Sonador Henderson, NV 89012-4893	100,000.00	100,000.00
10725-02132	1/11/2007	Thompson, Gregory R	1005 W Buffington St Upland, CA 91784	101,413.70	50,706.85
10725-00724	10/26/2006	Thurman, Lynnette S & John H	1635 Greycreek Way Reno, NV 89521-4052	54,499.99	54,499.99
10725-00656	10/23/2006	Trager, Stephanie & Lawrence B	4027 La Colina Rd Santa Barbara, CA 93110-1426	100,955.00	100,955.00
10725-00738	10/26/2006	Tyseling, Mark & Sharon Vey	210 Oneida St St Paul, Mn 55102	100,000.00	100,000.00
10725-01696	12/11/2006	Virga, Julie A	2567 Harkness St Sacramento, CA 95818-2325	150,287.00	150,287.00
10725-01122	11/8/2006	Wayne Dotson Co	Peter Bogart Ceo 1445 City Line Ave. Wynnewood, PA 19096	56,000.00	56,000.00
10725-01003	10/27/2006	Yonai Trustee, Gregory D	1982 Country Cove Ct Las Vegas, NV 89135-1552	81,750.00	81,750.00

EXHIBIT A

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